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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,426	08/30/2001	Vladislav Vashchenko	75292/13356	1844
7590 Jorgen K Vollrath 588 Sutter Street #531 San Francisco, CA 94102			EXAMINER NADAV, ORI	
			ART UNIT	PAPER NUMBER
			2811	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
30 DAYS	03/29/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

Application No.

09/944,426

Examiner

Ori Nadav

Applicant(s)

VASHCHENKO, VLADISLAV

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— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

The amendment document filed on 26 December 2006 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See attachment.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
\_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.



**ORI NADAV**  
**PRIMARY EXAMINER**

Legal Instruments Examiner (LIE), if applicable

Telephone No.

***Response to Arguments***

Applicant argues that the amendment filed on 9/29/2006 complied with 37 CFR 1.121(a)(2)(ii).

Regarding the amendment filed on 9/26/2005: In claim 2, line 5, the term "a" in the phrase "inside a the p-well of the" was deleted. However, in the amendments filed on 9/29/2006 and on 12/26/2006, the term "a" was again deleted. Such an amendment is not in compliance with 37 CFR 1.121(a)(2)(ii).

Regarding the amendment filed on 9/26/2005: In claim 2, line 7, the phrase "the p+ regions, and the n-type material" included the term ",". However, in the amendments filed on 9/29/2006 and on 12/26/2006, the term was missing. Such an amendment is not in compliance with 37 CFR 1.121(a)(2)(ii).

Regarding the amendment filed on 9/26/2005: In claim 3, line 1, the phrase "increasing the holding voltage of an" was recited. However, in the amendments filed on 9/29/2006 and on 12/26/2006, the phrase "increasing the holding voltage of a" was recited without any deletions and/or additions. Such an amendment is not in compliance with 37 CFR 1.121(a)(2)(ii).

Applicant argues that "Applicant nevertheless phoned twice and left messages with the examiner to resolve the issue but failed to receive a response".

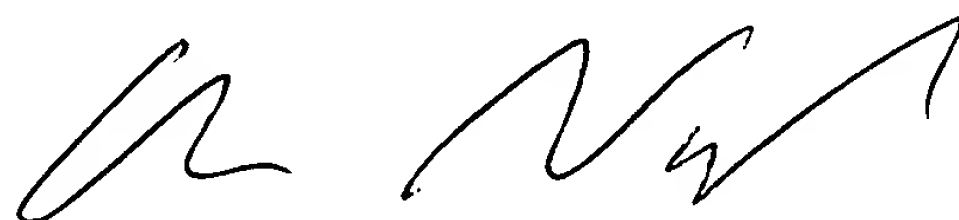
According to the examiner's records, the examiner telephoned applicant on 12/22/2006. Applicant is invited to call the examiner if there are any unresolved issues.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ori Nadav whose telephone number is 571-272-1660. The examiner can normally be reached between the hours of 7 AM to 4 PM (Eastern Standard Time) Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Elms can be reached on 571-272-1869. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



O.N.  
2/17/07

ORI NADAV  
PRIMARY EXAMINER  
TECHNOLOGY CENTER 2800